

REMARKSIN THE CLAIMS

The following claims are amended to better describe the Applicants' invention.

In Claim 4:

In line 2 of the claim, the words "with OCG 825 at about 3000 rpm for about 20 seconds or" are DELETED as containing reference to a manufacturer's trade name and not to the material itself. Applicants instead limit their claim to only the result achieved by the recited step of spinning, i.e., to provide a photoresist thickness of about 1.3 microns. Support is found in the specification at page 12 in TABLE 4.

In Claim 33:

In line 1 of the claim, the words "each set of" are DELETED and in line 2 of the claim the word "layers" is DELETED and REPLACED with word "layer". The change is made to remove a source of indefiniteness with regard to "sets of ... metal layers," which is not recited in Claim 1, from which Claim 33 depends.

In lines 2 and 3, the words "using material selected from the group consisting of carbon aquadag and" are DELETED and REPLACED with the word -- a--. The words are DELETED as containing reference to a manufacturer's trade name and not to the material itself. Applicants instead limit their claim to only a specific material, i.e., a colloidal suspension of graphite particles. Support is found in the specification at page 14, line 5.

In Claim 35:

Claim 35 is canceled as containing reference to a manufacturer's trade name and not to the material itself.

Applicants assert that No New Matter has been introduced as the result of the foregoing amendments.

IN THE SPECIFICATION

The following paragraphs are amended to better describe the Applicants' invention.

AT PAGE 1

In the paragraph BEGINNING at line 13, the word "Semiconductors" in line 13 is misspelled in the present context and is amended to read -- Semiconductor -- to correct the syntax of the sentence; the word "valance" in line 16 is misspelled in the present context and is amended to read -- valence -- to correct the syntax of the sentence; and the word "effected" in line 17 is misspelled in the present context and is amended to read -- affected -- to correct the syntax of the sentence.

In the paragraph BEGINNING at line 21, the commas AFTER the words "semiconductors and" in line 22 and BEFORE the words "one should" in line 23 are DELETED; and the commas AFTER the words "particulate radiation" in line 29 and BEFORE the words "beta particles" in line 30 are DELETED to correct punctuation. The word "x ray" in line 30 is misspelled and is DELETED and REPLACED with the correctly spelled word -- x-ray-- to correct the syntax of the sentence.

AT PAGE 2

In the paragraph BEGINNING at line 8, the words and comma "Under such circumstance, therefore" in line 15 are DELETED and REPLACED with the words -- Therefore, under such circumstances -- to correct the syntax of the sentence.

In the paragraph BEGINNING at line 22, the word "semi-conductor" in line 1 of page 3, is misspelled and is therefore DELETED and REPLACED with the word -- semiconductor -- to correct the spelling in the sentence.

AT PAGE 3

In the paragraph BEGINNING at line 3, a comma is INSERTED AFTER the word "radiation" in line 9 to correct the syntax of the sentence.

AT PAGE 7

In the paragraph BEGINNING at line 20, the period AFTER the words “metal layers” in line 20 is DELETED to correct the syntax of the sentence.

AT PAGE 14

In the paragraph BEGINNING at line 17, the word “size” in line 18 is DELETED and REPLACED with the word -- sizes -- to correct the syntax of the sentence. Support is found in the inherency of the disclosure of the paragraph.

In the paragraph BEGINNING at line 22, a comma is INSERTED AFTER the word “consequently” in line 22; and the hyphenated words “small-pixels” are DELETED and REPLACED with the words -- small pixels --. The changes are made to correct the syntax of these sentences.

AT PAGE 15

In the paragraph BEGINNING at line 1, the word “cleanup” in line 7 is DELETED and REPLACED with the word -- clean up -- to correct the syntax of the sentence. Support is found in the inherency of the disclosure of the paragraph.

In the paragraph BEGINNING at line 9, a comma is INSERTED AFTER the word “secondarily” in line 22; to correct the syntax of these sentences.

REJECTION UNDER 35 U.S.C. §112

Examiner's §1 – 2

Examiner has rejected Claims 4, 33, and 35 under 35 U.S.C. §112 second paragraph as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention, in that Applicants' claims contain a reference to the trademark/trade name. The claim does not comply with the written description requirement of 35 U.S.C. §112 because the scope of the claim is uncertain since the use of a trademark or trade name identifies only a source of goods and not the goods themselves. In addition, Claim 33 recites the limitation "each set of said metal layers" in lines 1 – 2. Examiner notes that Claim 1 provides sufficient antecedent basis for a [single] metal layer, but does not provide basis for a set of metal layers.

Applicants' Response

Applicants thank the Examiner for his remarks and apologize for the oversight in the use of trade names in Claims 4, 33, and 35. Applicants have amended Claims 4 and 33 and have requested that Claim 35 be canceled. By amending the claims in this way, Applicants assert that they have removed the source of indefiniteness of the original claim and have cured the rejection under 35 U.S.C. §112, second paragraph.

Applicants, therefore, respectfully request that the Examiner reconsider and withdraw his rejection/objections and pass the amended claim to allowance.

ALLOWABLE SUBJECT MATTER

Examiner's §3

Examiner has allowed Claims 1 – 3, 5 – 32, and 34.

Applicants' Response

Applicants thank the Examiner for his allowance of Claims 1 – 3, 5 – 32, and 34, and respectfully request that the amendment to Claims 4 and 33, correcting the noted indefiniteness be entered and these claims also passed to allowance.


CONCLUSION

Applicant respectfully assert that by amending Claims 1, and 10 the instant invention now claims a unique method that is neither anticipated, suggested nor taught by the prior art. Applicants, therefore, respectfully request favorable reconsideration of the claims now presented and allowance of this application is earnestly solicited.

This response is:

Respectfully submitted by,

SANDIA NATIONAL LABORATORIES


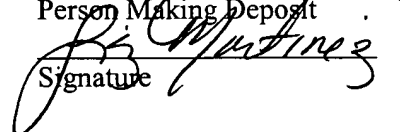

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CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that this Transmittal is being deposited with the U. S. Postal Service on **JUNE 8, 2004**, in an envelope as First Class mail addressed to: Commissioner for Patents, Mail Stop Non Fee Amendment, P.O. Box 1450, Alexandria, VA 22313-1450

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